

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: February 25, 2009

Opposition No. 91188166

LIGGET GROUP LLC

v.

Federation Internationale; de
Football Association (FIFA)

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

Application Serial No. 79975047 is for thirty-six international classes. However, only eight classes have been opposed. Those are classes 5, 9, 25, 32, 34, 35, 36, and 39.

This case now comes up on applicant's motion, filed January 14, 2009, to divide the application between the opposed classes and the unopposed classes. (Those unopposed classes are: 1, 3, 4, 6, 7, 8, 10, 11, 12, 14, 15, 16, 18, 20, 21, 24, 26, 27, 28, 29, 30, 31, 33, 37, 38, 40, 41, and 42.) Applicant has submitted the appropriate fee.

Inasmuch as the opposition is directed only to classes 5, 9, 25, 32, 34, 35, 36, and 39, the motion to divide is granted. See TBMP §516 (2d ed. rev. 2004).

Thus, the present single applicant application is to be divided into two separate applications.

Proceedings are to continue with respect to classes 5, 9, 25, 32, 34, 35, 36, and 39 while the following activities take place by the USPTO with respect to dividing the application:

- 1) the Intent to Use Division of the USPTO is to be notified to process the divisional application;
- 2) as a Trademark Act §66(a) application, the divisional application (for classes 1, 3, 4, 6, 7, 8, 10, 11, 12, 14, 15, 16, 18, 20, 21, 24, 26, 27, 28, 29, 30, 31, 33, 37, 38, 40, 41, and 42) is to be forwarded for further processing;¹ and
- 3) the original application (for classes 5, 9, 25, 32, 34, 35, 36, and 39) is to remain in pending status while this opposition is pending before the Board.

Proceedings are now resumed with respect to classes 5, 9, 25, 32, 34, 35, 36, and 39. Operative dates are reset as follows:

Time to Answer	4/6/2009
Deadline for Discovery Conference	5/6/2009
Discovery Opens	5/6/2009
Initial Disclosures Due	6/5/2009
Expert Disclosures Due	10/3/2009
Discovery Closes	11/2/2009
Plaintiff's Pretrial Disclosures	12/17/2009
Plaintiff's 30-day Trial Period Ends	1/31/2010
Defendant's Pretrial Disclosures	2/15/2010
Defendant's 30-day Trial Period Ends	4/1/2010
Plaintiff's Rebuttal Disclosures	4/16/2010
Plaintiff's 15-day Rebuttal Period Ends	5/16/2010

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on

¹ The next step is the issuance of the certificate of extension of protection. See TMEP §1904.05 (5th ed. rev. Sept. 2007).

the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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